

Dated: 12/23/2015

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE**

| | |
|---------------------------------------|--------------------------------|
| IN RE: | : CASE NO: 15-05937-MFH |
| | : |
| | : CHAPTER: 11 |
| | : |
| DANIEL RICHARD SIGMUND | : |
| Debtor | : |
| ----- | ----- |
| QUICKEN LOANS INC., | : |
| Movant, | : |
| | : CONTESTED MATTER |
| vs. | : |
| | : |
| DANIEL RICHARD SIGMUND | : |
| UNITED STATES TRUSTEE, Trustee | : |
| Respondents. | : |

**AGREED ORDER ON MOTION FOR RELIEF
FROM AUTOMATIC STAY**

Quicken Loans Inc., for itself, its successors and assigns (the “Movant”), filed a Motion for Relief from Automatic Stay (the “Motion”) November 25, 2015, which was set for hearing on **December 22, 2015** (the “Hearing”). Movant seeks relief as to Debtor’s real property, which is the Debtor’ principal residence, located in Davidson County, Tennessee, now or formerly known as 2627 Paddle Wheel Dr, Nashville, TN 37214 (the “Property”), as more particularly described in Exhibit “B”

attached to the Motion. Movant asserts that the Motion was properly served and hearing properly noticed. The parties reached an agreement as follows: The Debtor shall have a Chapter 11 Plan filed within **60 (sixty)** days of the entry of this Order. Unless the Plan has already been confirmed, the Debtor will resume regular monthly payments on the **90th day following the date the Plan is filed**. If however, the Debtor indicates the intent to surrender the Property in the filed Plan, the stay will lift upon Confirmation.

Accordingly, by consent, it is hereby

ORDERED that:

Should the Debtor fail to file a Plan within 60 (sixty) days of the entry of this Order or become delinquent in the ongoing payments as per the above agreement, Movant may be permitted to recover and dispose of the Property pursuant to applicable state law only after submitting a Notice of Default (as more particularly described below) in the following manner:

- (1) Counsel for Movant shall serve the Debtor, and Debtor's counsel of record with written notice of the specific facts of the delinquency (the "Notice of Default"); said notice may be contained in a letter;

Remainder of page left intentionally blank --

- (2) Debtor may cure the delinquency within twenty (20) calendar days of receipt of said notice; and
- (3) If Debtor fails to cure the delinquency within twenty (20) days of receipt of said written notice, the Court may enter an ex parte order modifying the automatic stay without further notice or hearing.

Should the Debtor indicate the intent to surrender the Property in the filed Plan, the Stay will lift upon Confirmation. Upon completion of any foreclosure sale by Movant, all proceeds exceeding Movant's lawful debt shall be remitted promptly to the Chapter 11 Debtor in Possession.

This Order was Signed and Entered Electronically as Indicated at the Top of the First Page.

[END OF DOCUMENT]

Prepared and Submitted by:

/s/ Natalie Brown

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This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.